

1  
2  
3  
4  
5  
6  
7  
8  
9

**STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
CONSUMER SERVICES DIVISION**

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Mortgage Broker Practices Act of Washington by:

American Standard Mortgage Company, and  
Robert Tyler-Cook,  
President and Designated Broker,  
Respondents.

NO. C-03-149-03-CO01

CONSENT ORDER BETWEEN

THE DEPARTMENT and  
AMERICAN STANDARD MORTGAGE  
CORPORATION and  
ROBERT TYLER-COOK

COMES NOW the Director of the Department of Financial Institutions (Director), through her designee Chuck Cross, Acting Director, Division of Consumer Services, American Standard Mortgage Company (hereinafter as "ASMC"), and Respondent Robert Tyler-Cook (hereinafter as "Tyler-Cook") (collectively "Respondents") and finding that the issues raised in the captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 19.146 of Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

**I. AGREEMENT AND ORDER**

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondents have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-03-149-03-SC01, entered July 29, 2003, (copy attached hereto). Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act (Act) and RCW 34.05.060 of the Administrative Procedure Act, Respondents hereby agree to the Department's entry of this Consent Order and further agree that the issues raised in the above captioned matter may be economically and efficiently settled by entry of this Consent Order. The parties intend this Consent Order to fully resolve Statement of Charges No. C-03-149-03-SC01, entered July 29, 2003.

Based upon the foregoing:

CONSENT ORDER – ASMC and COOK

C-03-149-03-CO01

1

DEPARTMENT OF FINANCIAL INSTITUTIONS  
Division of Consumer Services  
PO Box 41200  
Olympia, WA 98504-1200  
(360) 902-8795

1 A. It is AGREED that the Department has jurisdiction over the subject matter of the activities discussed  
2 herein.

3 B. It is AGREED that the parties shall be bound by the terms and conditions of this Consent Order as set  
4 forth herein.

5 C. It is AGREED that Respondents have been informed of the right to a hearing before an administrative law  
6 judge, and that they have waived their right to a hearing and any and all administrative and judicial review of the issues  
7 raised in this matter, or of the resolution reached herein.

8 D. It is AGREED that Respondents shall provide the Department with the names, addresses and phone  
9 numbers of each Washington resident for whom Respondent served as a mortgage broker. It is AGREED that  
10 Respondent will make restitution to consumers in the amount of \$16,714.90 by providing the Department with cashiers  
11 checks in the name of each of the consumers, along with their address. Such restitution shall be provided to the  
12 Washington residents no later than three years after this Consent Order is signed.

13 E. It is AGREED that Respondents shall pay an administrative fine of \$1500.00 and an examination fee of  
14 \$268.68 to the Department when all consumers have been paid, in no event later than three years after this Consent  
15 Order is signed.

16 F. Respondents AGREE to comply with the Mortgage Broker Practices Act and the rules adopted thereunder,  
17 particularly the provisions relating to licensure of branches.

18 G. It is AGREED that Respondents understand that failure to abide by the terms and conditions of this  
19 Consent Order may result in further legal action by the Director. In the event of such legal action, Respondents  
20 may be responsible to reimburse the Director for the cost incurred in pursuing such action, including but not  
21 limited to, attorney fees.

22 H. **Restriction on Participation in the Industry.** It is AGREED that Respondents shall be prohibited from  
23 participating in the conduct of the affairs of any licensed mortgage broker, in the capacity of an officer or principal, until  
24 such time as the Respondent has paid the restitution and fine as described in D. and E. above.

1 I. **Application for Mortgage Broker License.** It is AGREED that Respondents shall not apply to the  
2 Department for any license under any name until such time as the Respondent has paid the restitution and fine as  
3 described in D. and E. above..

4 J. It is AGREED that the undersigned have represented and warranted that they have the full power and right  
5 to execute this Consent Order on behalf of the parties represented.

6 K. It is AGREED that the undersigned Respondents have voluntarily entered into this Consent Order,  
7 which is effective when signed by the Director's designee.

8 L. It is AGREED that Respondents have read this Consent Order in its entirety and fully understand and  
9 agree to all of the same.

10 **RESPONDENTS:**

11 **American Standard Mortgage Corporation**

12 By:

13 /S/ 12/6/04  
14 Robert Tyler-Cook, Individually and as Presidents and  
15 Designated Broker of American Standard Mortgage Corp Date

16 \_\_\_\_\_  
17 Do not write below this line

18 THIS ORDER ENTERED THIS 17<sup>th</sup> DAY OF December, 2004.

19  
20 /S/  
21 Chuck Cross, Director  
22 Division of Consumer Services  
23 Department of Financial Institution  
24